

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

RONALD SATISH EMRIT, and
NICOLE ROCIO LEAL-MENDEZ

v.

CA 14-106 ML

GOVERNOR LINCOLN D. CHAFEE,
MAYOR ANGEL TAVERAS, and
PROVIDENCE POLICE DEPARTMENT

MEMORANDUM AND ORDER

Before the Court is the Motion for Judgment on the Pleadings filed by Defendant Mayor Jorge Elorza¹. (Docket #81). The Mayor is sued in his official capacity. Plaintiff has not filed a response and the time for doing so has passed. The Motion is therefore considered by the Court to be unopposed.

The Court has reviewed the Amended Complaint filed by Plaintiff on March 21, 2014 (Docket #21). The Court agrees with Defendant's assertion that Plaintiff has made no factual allegations that would support a claim of municipal liability under 42 U.S.C. § 1983. Further, the Complaint contains no factual allegations of wrongdoing on the part of the Defendant Mayor with regard to the state law claims asserted by Plaintiff (Counts 2-9).

Accordingly, for these reasons and those set forth in the Defendant's Motion papers, the Motion for Judgment on the Pleadings is GRANTED.

SO ORDERED:

/s/ Mary M. Lisi
Mary M. Lisi
United States District Judge
June 16, 2015

¹By Order dated June 10, 2015, (Docket #87) this Court granted Plaintiff's Motion to Substitute the current Mayor of Providence Jorge Elorza for the former Mayor Angel Taveres.